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December 6, 2013

The Honorable Jason D. Woodard
United States Bankruptcy Judge
703 Highway 145 North
Aberdeen, Mississippi 39730

Re: Estate of Maggie Mae Smith vs. Michael R. Smith, Sr.
Adversary Proceeding No. 08-01181-JDW

In re Michael R. Smith, Sr.
Case No. 08-10080 (Chapter 11)

Dear Judge Woodard:

Craig Geno and I represent Debtor/Defendant Michael R. Smith, Sr. in the above referenced adversary proceeding. Today we are in receipt of a letter to you from counsel for the Plaintiff concerning the above referenced matter and certain recent proceedings before Chancery Judge Dan Fairly in the Chancery Court of Rankin County.

This matter arises out of the Plaintiff's Motion to set his case for trial in Rankin County and the Defendant's, Mike Smith's, objections thereto, primarily on the grounds that the Plaintiff's claims were already set for trial before the Bankruptcy Court and that the Chancery Court did not have jurisdiction. Judge Fairly was necessarily unsure of how to proceed and felt direct communication between himself and you might avoid any problems or conflicts. Judge Fairly obviously wants to do the right thing.

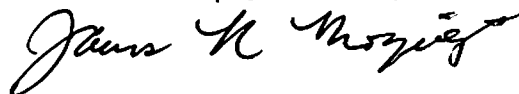
What is at the crux of this matter is the Plaintiff's attempt to have Judge Fairly decide matters which are already before you and scheduled for trial. Attached hereto is a copy of the Motion to Stay State Court Proceedings filed this day with the Court which sets forth Mike Smith's position as to this matter. The Motion also seeks sanctions against David Smith for the Debtor/Defendant having to respond in Rankin County and to bring the subject Motion to Stay in this Court, as there is no reasonable basis for David Smith to have proceeded as he has.

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We do wish to reiterate that Judge Fairly has, in Debtor/Defendant's opinion, at all times proceeded appropriately and expressed his concern to coordinate with this Court as to jurisdictional questions. We do not wish anything in this letter or the attached Motion to be seen as reflecting other than creditably on Judge Fairly.

Sincerely yours,

MOZINGO | QUARLES, PLLC

A handwritten signature in black ink, appearing to read "James R. Mozingo", written in a cursive style.

James R. Mozingo

JRM/jm
Enclosure

cc: The Honorable Dan Fairly
David M. Ringer, Esq.
Craig M. Geno, Esq.